

REMARKS

Claims 1, 4, 5 and 11-16 are pending in this application. By this Amendment, claim 14 is amended.

Applicant appreciates the courtesies extended to Applicant's representative at the December 7, 2005 personal interview. Applicant's record of that interview is incorporated into the following remarks.

I. Allowable Subject Matter

Applicant appreciates the Office Action's acknowledgement that claims 1, 4-5 and 11-13 are allowed.

II. Rejections under 35 U.S.C. §103(a)

Claim 14 is rejected under 35 U.S.C. §103(a) over Albanello (U.S. Patent No. 6,138,621) in view of Kobayashi et al. (U.S. Patent No. 6,302,071); and claims 15-16 are rejected under 35 U.S.C. §103(a) over Albanello in view of Kobayashi and further in view of Hu (U.S. Patent No. 5,680,841). The rejections are respectfully traversed.

The Office Action asserts that the deficiencies of Albanello are remedied by Kobayashi. The Office Action's interpretation of Kobayashi is respectfully traversed. Kobayashi does not disclose, teach, or suggest the use of first and second lubricating oil passages because Kobayashi's supply oil passages 73 and 74 are the same passage. At col. 7, lines 32-37, Kobayashi discloses that "supply oil passage 73 is connected with a working oil supply passage 74" and, at col. 8, lines 10-11, that "the working oil supply passage 74 [is] connected with the supply oil passage 73." Figure 7 also makes clear that there is a single oil supply line extending from a working oil supply source, through oil pump 70, to operating oil passages 75 and 77. Kobayashi thus discloses only a single oil passage, and does not disclose first and second lubricating oil passages.

In order to clarify claim 14, the claim has been amended to clarify that the second lubricating oil passage is formed independently from the first lubricating oil passage. At the personal interview, the Examiner agreed that the rejection of claim 14 would likely be withdrawn in light of this clarification, subject to the Examiner's further review and consideration.

In view of the foregoing, the deficiencies of Albanello are thus not remedied by the teachings of Kobayashi. Albanello in view of Kobayashi, and Albanello in view of Kobayashi and Hu, therefore fail to disclose all of the features recited in independent claim 14, as well as the additional features recited in dependent claims 15 and 16. Accordingly, it is respectfully requested that the rejections be withdrawn.

III. Amendment After Final

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claim are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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